

**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Laksono
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Examiner: Michael Van Handel
Art Group: 2424
Docket No: VIXS005

Title: METHOD AND APPARATUS FOR CHANNEL MIXING IN
A MULTIMEDIA SYSTEM

Pre-Appeal Brief Request for Review

1. In the Office Action dated 3/7/2007, the Examiner rejected claims 1-63 under 35 USC § 102 (e) as being anticipated by Rakib et al. (U.S. Publication no. 2004/0172658). Applicant respectfully believes that there is a clear deficiency in the prima facie case in support of this rejection and requests review of the allowability of claims 1-63 pursuant to the Pre-Appeal Brief Pilot Program.

2. As discussed above, claim 1 was rejected as anticipated by Rakib. The applicant respectfully disagrees with the present rejection because at least one claim element is not met by this reference. Claim 1 includes the following:

receiving, from a multimedia source, a set of selected channels as encoded channel data;

interpreting the encoded channel data to identify a channel of interest of the set of selected channels based on a specific channel selection request, wherein each channel of the set of selected channels has a data type;

processing the encoded channel data, which includes data of the channel of interest based on the data type to produce generic data for each channel of the set of selected channels;

combining, by a channel mixer, the generic data of each channel of the set of selected channels into a stream of data;

From these elements we know that:

- a set of selected channels;
- are received as encoded channel data;

- from a single multimedia source;
- the set of channels are interpreted to identify a channel of interest;
- the encoded channel data is processed based on the data type to produce generic data for each channel of the set of channels; and
- the generic data of each channel of the set of is combined.

Rakib does not process the encoded channel data to produce generic data for each channel of the set of selected channels and further cannot combine the generic data of each channel of the set of selected channels into a stream of data.

Rakib's gateway processes content from different video sources such as analog cable, digital cable and satellite. However, Rakib can only process a single channel from each source. Referring to FIG. 4a, Rakib presents three different video tuners: tuner 180 for digital video from the satellite; tuner 100 for analog video and tuner 102 for digital video. An analog video channel cannot be a one of the set of selected channels -- since it is receives as an analog video signal, and not received as encoded channel data as set forth in claim 1. Rakib has only two digital video tuners each for receiving a single channel, from different sources. Both of these tuners tune to a particular channel and reject or tune out all other channels (See paragraphs [0133] & [0179]).

In particular, Rakib's gateway cannot process and combine multiple channels from a single multimedia source as set forth in claim 1. Rakib's gateway can only receive one channel at a time from each source, because the gateway has only a single tuner for each video format. For this reason, claim 1 and claims 2-15 that depend therefrom are patentably distinct from the prior art.

3. As discussed above, claim 2 was rejected as anticipated by Rakib. The applicant respectfully disagrees with the present rejection because at least one claim element is not met by this reference. Claim 2 includes the following:

receiving the set of selected channels by receiving packets of the encoded channel data, wherein the encoded channel data includes channel data from a plurality of tuners associated with a multimedia source, and wherein each of the packets includes a header portion and payload portion; and

interpreting the encoding channel data by interpreting information of the header portion of the packets to identify individual channels of the set of selected channels.

Rakid does not disclose receiving encoded channel data for a selected set of channels from a multimedia source via a plurality of tuners.

As discussed in conjunction with claim 1, Rakib has only two digital video tuners each for receiving a single channel, from different sources. This presents an additional reason that claim 2 is patentably distinct from the prior art.

4. As discussed above, claims 16, 28, 37 and 52 were also rejected as anticipated by Rakib. The applicant respectfully disagrees with the present rejection because at least one claim element is not met by this reference.

For similar reasons as set forth in the discussion of claim 1, claims 16, 28, 37 and 52 and claims 17-27, 29-36, 38- 51 and 53062 that depend therefrom, are patentably distinct from the prior art.

RESPECTFULLY SUBMITTED,

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